

Appl. No. 09/727,240
Amdt. dated 4/17/06
Reply to Office Action of 12/15/05

PATENT
Docket: 990382

REMARKS

The amendment filed September 22, 2005 was rejected under 35 U.S.C. 132(a) as allegedly introducing new matter into the disclosure. Applicant respectfully traverses the rejection.

The rejection was based on the inclusion in the claims of the recitation "...causing the controller to navigate up and down through multiple stages of a hierarchical menu structure to activate a plurality of selected features in a predetermined sequence...". The Action states that although the "specification does mention avoiding navigating through multiple stages of a hierarchical menu structure in order to activate multiple features, however, it can not be assumed that the various features must be accessed by navigating up and down through the menu structure."

Applicant disagrees. The specification supports this amendment in the section pointed out in the September 22, 2005 amendment, namely page 7, lines 22-28 of the Specification in conjunction with the menu structure shown in Figures 3A-3D, which is described in the Specification at page 2, lines 8-24.

The supporting text on page 7, lines 22-28 follows:

"The user may desire to have a single shortcut for several actions such as setting the ringer volume to "low", turning the display/keypad backlighting on persistently, and launching a "chat" web page using the handset's integrated internet micro-browser. In that case, the user navigates the user interface menus to enter the programming mode and selects the keys in the standard fashion to accomplish all of these actions in the same way as discussed above. The user then can play this macro and perform all three operations."

Taking just a portion of that sequence – turning the ringer volume to "vibrate" (substituted for "low" in this example" and turning the display/keypad backlighting on persistently – in the hierarchical menu structure described in FIGS. 3A-3D would clearly require navigating up and down through multiple stages of a hierarchical menu structure in order to activate selected multiple features. Those skilled in the art could clearly see that to program these features, one would have to follow the following steps in navigating through a the menu: MENU (FIG. 3A) → (down) PHONE SETTINGS (FIG. 3B) → (down) RING SETTINGS (FIG.

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3C) → (down) VIBRATE (FIG. 3D) → (up) DISPLAY SETTINGS (FIG. 3C) → (down)
BACKLIGHT (not shown, but typical) → (down) ALWAYS ON (not shown, but typical).

Applicant submits that the claim amendments made in the September 22, 2005 amendment are fully supported in the Specification, and to the extent they are not explicitly described, are inherent to known hierarchical menu structures used in wireless handsets. Accordingly, Applicants request that the claims, as amended, be reconsidered on their merits in view of the remarks made in the September 22, 2005 amendment.

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CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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